

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

In re ACCREDO HEALTH, INC.
SECURITIES LITIGATION

This Document Relates To:

ALL ACTIONS.

) Civil Action No. 03-2216-BBD

) CLASS ACTION

) LEAD PLAINTIFFS' MOTION *IN LIMINE*
) #21 TO PRECLUDE DEFENDANTS FROM
) INTRODUCING EVIDENCE THAT THIS
) LITIGATION IS LIMITED TO THE ACUTE
) PORTION OF THE SPS ACCOUNTS
) RECEIVABLE.

Lead Plaintiffs, Louisiana School Employees' Retirement System and Debra Swiman (together, "Lead Plaintiffs") and the Class of investors who purchased Accredo stock between June 16, 2002 and April 7, 2003, respectfully ask the Court to preclude Defendants from referring to, interrogating any witness concerning, commenting on, or introducing in any way evidence that this litigation is limited to only the acute portion of the SPS accounts receivable ("A/R"). As addressed in Lead Plaintiffs' Opposition to Defendants' Motion for Summary Judgment (Docket No. 396), this litigation has always been about the A/R for the entire SPS division and Defendants never objected to discovery requests concerning the entire SPS division.

For obvious reasons, Defendants would like to limit the scope of this litigation. However, it is not up to them to unilaterally decide that only the acute portion of the SPS division's A/R is at issue. Defendants' Motion for Summary Judgment (Docket No. 363-2) contains multiple, *emphasized* references to the acute portion of the SPS division's A/R. *See, e.g.*, Docket No. 363-2 at 4, 5, 6, 11. However, elsewhere in that same motion, Defendants acknowledge that this litigation concerns the A/R for the entire SPS division. *See, e.g.*, Docket No. 363-2 at 12-17.

Indeed, Defendants never objected to the documentary discovery requests concerning the entire SPS division, and produced documents relevant to the A/R for the entire SPS division. Additionally, Lead Plaintiffs' Consolidated Complaint for Violation of the Federal Securities Laws (Docket No. 99) specifically addresses the A/R for the entire SPS division and in no way limits the scope of this litigation to the acute portion of the SPS division's A/R. *See, e.g.*, Docket No. 99 at 1-3, 5.

Accordingly, Lead Plaintiffs respectfully ask that the Court issue an order precluding Defendants from referring to, interrogating any witness concerning, commenting on, or introducing in any way evidence that this litigation is limited to the acute portion of the SPS accounts receivable.

DATED: September 8, 2008

Respectfully submitted,

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
MARK SOLOMON
TOR GRONBORG
JONAH H. GOLDSTEIN
DAVID W. MITCHELL
TRIG R. SMITH
NATHAN W. BEAR

s/ TOR GRONBORG
TOR GRONBORG

655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)

BERNSTEIN LITOWITZ BERGER &
GROSSMANN LLP
BLAIR A. NICHOLAS
TIMOTHY A. DELANGE
BRETT M. MIDDLETON
MATTHEW P. JUBENVILLE
12481 High Bluff Drive, Suite 300
San Diego, CA 92130
Telephone: 858/793-0070
858/793-0323 (fax)

Co-Lead Counsel for Plaintiffs

GLASSMAN, EDWARDS, WADE
& WYATT, P.C.
B.J. WADE, #5182
26 N. Second Street Building
Memphis, TN 38103
Telephone: 901/527-4673
901/521-0940 (fax)

Liaison Counsel

C:\Program Files\DocsCorp\pdfDocs PDF\users\MicheleH\Import\MIL00053921 No. 19.doc

CERTIFICATE OF SERVICE

I hereby certify that on September 8, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 8, 2008.

s/ TOR GRONBORG
TOR GRONBORG

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
655 West Broadway, Suite 1900
San Diego, CA 92101-3301
Telephone: 619/231-1058
619/231-7423 (fax)
E-mail: torg@csgrr.com

Mailing Information for a Case 2:03-cv-02216-BBD-gbc

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **George E. Barrett**
gbarrett@barrettjohnston.com
- **Nathan W. Bear**
NBear@csgrr.com,stremblay@csgrr.com
- **Saul C. Belz**
sbelz@glankler.com,apospisil@glankler.com
- **Paul Kent Bramlett**
pknashlaw@aol.com
- **Linda F Burnsed**
lburnsed@cbslawyers.net
- **Karen M. Campbell**
kcampbell@appersoncrump.com
- **F. Guthrie Castle , Jr**
fgc@castle-law.com
- **Stanley M. Chernau**
s.chernau@chernau.com
- **Timothy A. DeLange**
timothyd@blbglaw.com,brettm@blbglaw.com,samj@blbglaw.com,kristinas@blbglaw.com,matthe
- **Amy Ferguson Dudek**
adudek@glankler.com,apospisil@glankler.com
- **Jef Feibelman**
jfeibelman@bpjlaw.com,cbiscoe@bpjlaw.com
- **Tor Gronborg**
torg@csgrr.com,e_file_sd@csgrr.com
- **Douglas F. Halijan**
dhalijan@bpjlaw.com,mmarshall@bpjlaw.com
- **Dixie W. Ishee**
woodcarltonishee@bellsouth.net

- **Matthew P. Jubenville**
matthewj@blbglaw.com
- **Emily C. Komlossy**
ekomlossy@faruqilaw.com
- **Quitman Robins Ledyard , II**
bledyard@borodandkramer.com
- **Brett M. Middleton**
brettm@blbglaw.com
- **Timothy L. Miles**
tmiles@barrettjohnston.com
- **David W. Mitchell**
davidm@csgrr.com
- **Blair N. Nicholas**
blairn@blbglaw.com
- **Russell F.A. Riviere**
russellr@blbglaw.com
- **Kevin Hunter Sharp**
ksharp@dsattorneys.com
- **Scott N. Sherman**
scott.sherman@alston.com
- **Gary K. Smith**
gsmith@appersoncrump.com,clunsford@appersoncrump.com,kcampbell@appersoncrump.com
- **Trig R. Smith**
trigs@csgrr.com
- **Mark D. Trainer**
mark.trainer@alston.com
- **B. J. Wade**
bwade@gewwlaw.com
- **Allison Wannamaker**
wannamakera@thomasonlaw.com
- **Kelly C. Wilcove**
kelly.wilcove@alston.com,valerie.nouman@alston.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

Ramzi Abadou

LERACH COUGHLIN STOIA GELLER RUDMAN & ROBBINS, LLP
655 West Broadway
Suite 1900
San Diego, CA 92101

Guri Ademi

ADEMI & O'REILLY, LLP
3620 East Layton Ave.
Cudahy, WI 53110

Shpetim Ademi

ADEMI & O'REILLY, LLP
3620 East Layton Ave.
Cudahy, WI 53110

Lauren S. Antonino

CHITWOOD & HARLEY
1230 Peachtree St., N.E.
2900 Promenade II
Atlanta, GA 30309

Peter Q. Bassett

ALSTON & BIRD
1201 West Peachtree St.
Atlanta, GA 30309-3424

Javier Bleichmar

BERNSTEIN LITOWITZ BERGER & GROSSMAN
1285 Ave of the Americas
38th Floor
New York, NY 10019

Martin D. Chitwood

CHITWOOD HARLEY & HARNES LLP
1230 Peachtree St., N.E.
2900 Promenade II
Atlanta, GA 30309

Patricia A. Connell

ERNST & YOUNG
5 Times Square
New York, NY 10036-6530

Gregory M. Egleston

BERNSTEIN LIEBHARD & LIFSHITZ, LLP
10 East 40th Street
New York, NY 10016

Nadeem Faruqi

FARUQI & FARUQI, LLP
369 Lexington Avenue
10th Floor
New York, NY 10017

Mark C. Gardy

ABBEY GARDY, LLP
212 East 39th St.
New York, NY 10016

Carol V. Gilden

MUCH SHELIST FREED DENENBERG AMENT & RUBENSTEIN, P.C.
191 N. Wacker Dr.
Ste. 1800
Chicago, IL 60606-1615

Karen M. Hanson

LOCKRIDGE GRINDAL NAUEN, PLLP
100 Washington Ave., South
Ste. 2200
Minneapolis, MN 55401

Ronald B. Hauben

ERNST & YOUNG
5 Times Square
New York, NY 10036-6530

Marc S. Henzel

LAW OFFICES OF MARC S. HENZEL
273 Montgomery Ave.
Ste. 202
Bala Cynwyd, PA 19004

Fred Taylor Isquith

WOLF HALDENSTEIN ADLER FREEMAN & HERZ LLP
270 Madison Ave.
New York, NY 10016

, Esq

Douglas S. Johnston

BARRETT JOHNSTON & PARSLEY
217 Second Avenue North
Nashville, TN 37201-1601

Nancy Kaboolian

ABBEY GARDY, LLP
212 East 39th St.
New York, NY 10016

William S. Lerach

LERACH COUGHLIN STOIA GELLER RUDMAN & ROBBINS, LLP
655 West Broadway
Suite 1900
San Diego, CA 92101

Mel E. Lifshitz

BERNSTEIN LIEBHARD & LIFSHITZ, LLP
10 East 40th Street
New York, NY 10016

Richard A. Lockridge

LOCKRIDGE GRINDAL NAUEN, PLLP
100 Washington Ave., South
Ste. 2200
Minneapolis, MN 55401

Douglas M McKeige

BERNSTEIN LITOWITZ BERGER & GROSSMAN
1285 Ave of the Americas
38th Floor
New York, NY 10019

Eitan Misulovin

BERNSTEIN LITOWITZ BERGER & GROSSMAN
1285 Ave of the Americas
38th Floor
New York, NY 10019

Michael E. Moskovitz

MUCH SHELIST FREED DENENBERG AMENT & RUBENSTEIN, P.C.
191 N. Wacker Dr.
Ste. 1800
Chicago, IL 60606-1615

Gregory M. Nespole

WOLF HALDENSTEIN ADLER FREEMAN & HERZ LLP
270 Madison Ave.
New York, NY 10016

, Esq**Darren J Robbins**

LERACH COUGHLIN STOIA GELLER RUDMAN & ROBBINS, LLP
655 W. Broadway
Ste. 1900
San Diego, CA 92101

Robert M. Roseman

SPECTOR ROSEMAN & KODROFF, P.C.
1818 Market St.
Ste. 2500
Philadelphia, PA 19103

David A. Rosenfeld

LERACH COUGHLIN STOIA GELLER RUDMAN & ROBBINS, LLP
200 Broadhollow Rd.
Ste. 406
Melville, NY 11747

Samuel H. Rudman

LERACH COUGHLIN STOIA GELLER RUDMAN & ROBBINS, LLP
200 Broadhollow Rd.
Ste. 406
Melville, NY 11747

Mark Solomon

LERACH COUGHLIN STOIA GELLER RUDMAN & ROBBINS, LLP
655 West Broadway
Suite 1900
San Diego, CA 92101

Marc A. Topaz

SCHIFFRIN BARROWAY TOPAZ & KESSLER, LLP
280 King of Prussia Road
Radnor, PA 19087